

Original

FILED 07 JUN 15 17:59 SDC-DRP

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

JAMES PATTON,

03-CV-1722-BR

Plaintiff,

VERDICT

v.

TARGET CORPORATION,

Defendant.

We, the jury, find:

CLAIM ONE - Demotion Based on Uniformed Service

1. A. Did Plaintiff prove by a preponderance of the evidence that his uniformed service was a substantial factor in Defendant's decision to demote him?

Answer: Yes No

If you answered "No" to Question 1.A., do not answer Question 1.B.; Proceed to Question 2.

- B. If you answered "Yes" to Question 1.A., did Defendant prove by a preponderance of the evidence that it would have demoted Plaintiff regardless of his uniformed service?

Answer: Yes No

Proceed to Question 2.

CLAIM TWO - Termination Based on Uniformed Service

2. A. Did Plaintiff prove by a preponderance of the evidence that his uniformed service was a substantial factor in Defendant's decision to terminate him?

Answer: Yes No X

If you answered "No" to Question 2.A., do not answer Question 2.B.; Proceed to Question 3.

- B. If you answered "Yes" to Question 2.A., did Defendant prove by a preponderance of the evidence that it would have terminated Plaintiff regardless of his uniformed service?

Answer: Yes No

Proceed to Question 3.

CLAIM THREE - Retaliation

3. A. Did Plaintiff prove by a preponderance of the evidence that his attempt to be reinstated to his former position was a substantial factor in Defendant's decision to terminate him?

Answer: Yes X No

If you answered "No" to Question 3.A., do not answer Question 3.B.; Proceed to Question 4.

- B. If you answered "Yes" to Question 3.A., did Defendant prove by a preponderance of the evidence that it would have terminated Plaintiff regardless of his attempt to be reinstated to his former position?

Answer: Yes X No

Proceed to Question 4.

CLAIM FOUR - Wrongful Discharge

4. A. Did Plaintiff prove by a preponderance of the evidence that his uniformed service was a substantial factor in Defendant's decision to terminate him?

Answer: Yes No X

Your answer to this question must be the same as your answer to Question 2.A. Proceed to Question 4.B.

- B. Did Plaintiff prove by a preponderance of the evidence that his attempt to be reinstated to his former position was a substantial factor in Defendant's decision to terminate him?

Answer: Yes X No

Your answer to this question must be the same as your answer to Question 3.A.

If you answered "No" to Questions 1.A., 2.A., 3.A., 4.A., and 4.B. your Verdict is for Defendant. Do not answer any more questions; your Presiding Juror should date and sign this Verdict.

DAMAGES

Answer Question 5. only if you answered "No" to any of Questions 1.B., 2.B., and/or 3.B., and/or if you answered "Yes" to Question 4.A. or 4.B. Otherwise, your Verdict is complete; do not answer any more questions; your Presiding Juror should date and sign this Verdict.

5. What damages, if any, did Plaintiff sustain as a result of Defendant's unlawful conduct?

- A. Amount of economic damages

- 1) For lost wages and benefits \$ 12,970
2) For other economic damages \$ 5,000

- B. Amount of noneconomic damages \$ 67,000

Answer Question 6. only if you answered "Yes" to Question 4.A. and/or 4.B. Otherwise, your Verdict is complete; do not answer any more questions; your Presiding Juror should date and sign this Verdict.

6. Did Plaintiff prove by clear and convincing evidence that punitive damages should be awarded against Defendant?

Answer: Yes No

If you answered "Yes," what amount of punitive damages do you award?

Answer: \$ 900,000

Your Verdict is now complete. Your Presiding Juror should date and sign this Verdict.

Dated this 15 day of June, 2007.

Michaelene Myers
Presiding Juror